

**OFFICE OF THE SECRETARY OF STATE
STATE OF MISSISSIPPI
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

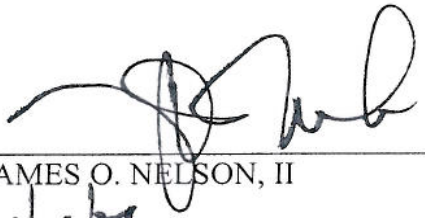
In The Matter Of:)	
)	
CHRISTIAN'S WINGS)	Administrative Proceeding
897 Auburn Avenue)	Number: <u>C-06-0262</u>
Biloxi, MS 39532-3217)	
)	
)	
RESPONDENT)	

**AFFIDAVIT OF COMPLIANCE WITH
MISSISSIPPI CODE ANN. § 79-11-511**

Comes now, JAMES O. NELSON, after being first duly sworn hereby states on his oath as follows:

1. On January 16, 2007, JAMES O. NELSON, II, Assistant Secretary of State, Business Regulation and Enforcement Division (hereinafter "Division"), issued a FINAL CEASE AND DESIST ORDER AND ORDER IMPOSING ADMINISTRATIVE PENALTY (hereinafter "Order") against CHRISTIAN'S WINGS (hereinafter "Respondent").
2. On January 18, 2007, a true and correct copy of the Order was mailed via certified mail to Respondent's last known address of 897 Auburn Avenue, Biloxi, MS 39532-3217.
3. On February 8, 2007, the Order was returned to the Division marked: Unclaimed.
4. Respondent has not designated an agent for service of process.
5. On February 12, 2007, a true and correct copy of the Order was delivered to the Secretary of State.

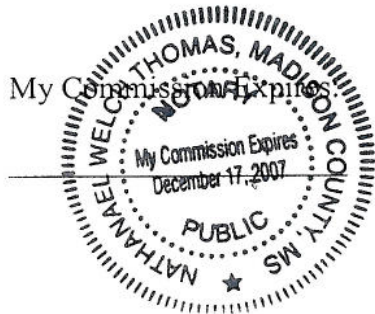
6. On February 12, 2007, a true and correct copy of the Order was mailed to Respondent, via certified mail, to the last known address of 897 Auburn Avenue, Biloxi, MS 39532-3217.

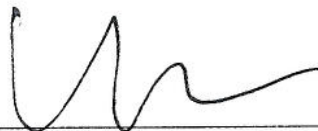


JAMES O. NELSON, II
2/12/07

Date

SWORN to and subscribed before me, this, the 12th day of February 2007.
(SEAL)





NOTARY PUBLIC

**OFFICE OF THE SECRETARY OF STATE
STATE OF MISSISSIPPI
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

In The Matter Of:

**CHRISTIAN'S WINGS
897 Auburn Avenue
Biloxi, MS 39532-3217**

RESPONDENT

)
)
)
)
)
)
)
)
)
)
)

**Administrative Proceeding
Number: C-06-0262**

NOTICE OF SERVICE OF PROCESS

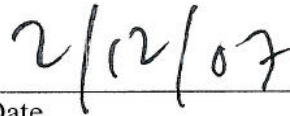
Comes now, Nathan Thomas, and files this Notice of Service of Process and states the following:

1. On January 16, 2007, JAMES O. NELSON, II, Assistant Secretary of State, Business Regulation and Enforcement Division (hereinafter "Division"), issued a FINAL CEASE AND DESIST ORDER AND ORDER IMPOSING ADMINISTRATIVE PENALTY (hereinafter "Order") against CHRISTIAN'S WINGS (hereinafter "Respondent").
2. On January 18, 2007, a true and correct copy of the Order was mailed via certified mail to Respondent's last known address of 897 Auburn Avenue, Biloxi, MS 39532-3217.
3. On February 8, 2007, the Order was returned to the Division marked: Unclaimed.
4. Respondent has not designated an agent for service of process.

PURSUANT TO MISS. CODE ANN. §79-11-511, YOU ARE HEREBY NOTIFIED THAT A TRUE AND CORRECT COPY OF THE FINAL CEASE AND DESIST ORDER AND ORDER IMPOSING ADMINISTRATIVE PENALTY ISSUED IN THE ABOVE-CAPTIONED MATTER WAS DELIVERED TO THE SECRETARY OF STATE ON FEBRUARY 12, 2007. A TRUE AND CORRECT COPY OF THIS ORDER IS ATTACHED.

A handwritten signature in black ink, consisting of a large 'U' followed by a series of loops and a long horizontal stroke.

Signature

A handwritten date in black ink, written as '2/12/07'.

Date

2. AnaStacia Robrecht ("Robrecht") is the President of Respondent. Her last known address is 897 Auburn Avenue, Biloxi, MS 39532-3217.

3. On June 6, 2006, a Mississippi resident notified the Division that the resident had received a solicitation from Respondent. A thorough search of the Division's records reveals that Respondent is not a registered charity with the Division. Furthermore, Respondent has not obtained an exemption from registration.

4. On June 6, 2006, the Division sent a letter to Robrecht indicating that the charity was not registered with the Division, nor had the Charity obtained an exemption with the Division. The letter also contained the requisite registration materials the Respondent needed to complete its registration with the State of Mississippi. The Division's letter notifies Respondent that "[p]ursuant to Mississippi law, all [501(c)(3)] organizations which solicit contributions must either be registered with the State of Mississippi or apply for and receive an exemption from registration." The Division's June 6, 2006, letter from Mr. Billy Lucky ("Lucky") is attached hereto as Exhibit "A."

5. On July 17, 2006, Lucky telephoned Robrecht to follow up on the Division's June 6, 2006, letter. As of July 17, 2006, Respondent had not responded to the Division's letter. During the telephone conversation, Robrecht acknowledged receipt of the letter and attached registration materials. Robrecht stated that she had completed the registration packet and would send the completed materials back to the Division.

6. The Respondent had not submitted a valid registration to the Division, as of September 15, 2006, nor had Respondent notified the Division regarding its intentions.

7. On September 15, 2006, the Division issued a SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY (hereinafter "Order") against Respondent. The Order is affixed hereto as Exhibit "B". The

Order indicates that Respondent shall have thirty (30) days from the date of receipt of the Order to give written notice to the Division requesting a hearing on the matters contained in the Order.

8. On October 16, 2006, the Division received the Order, addressed to Respondent, returned and marked, "Unclaimed."

9. On October 27, 2006, the Division delivered a true and correct copy of the Order, addressed to Respondent, to the Secretary of State.

10. On October 27, 2006, the Division mailed a true and correct copy of the Order, Notice of Service and Affidavit of Compliance to Respondent, pursuant to Miss. Code Ann. § 75-11-511. The Division sent the Order, Notice of Service and Affidavit of Compliance, via certified mail, to the last known address of 897 Auburn Avenue, Biloxi, MS 39532-3217.

11. On November 17, 2006, the Division received the Order, Notice of Service, and Affidavit of Compliance, addressed to Respondent, returned and marked, "Unclaimed."

12. To date, Respondent has not contacted the Division regarding the Order.

13. Because Respondent failed to respond within the time allowed by applicable rules, the Division issues this FINAL CEASE AND DESIST ORDER AND ORDER IMPOSING ADMINISTRATIVE PENALTY.

III. APPLICABLE LAW

14. Miss. Code Ann. § 79-11-501(j) defines "solicitations" as requests made directly or indirectly for "money, credit, property, financial assistance, or any other thing of value" Section 79-11-501(j)(i) specifically includes any "oral or written request" as solicitations.

15. Pursuant to Miss. Code Ann. § 79-11-503(1), solicitations made during a period of non-registration are illegal. It states as follows:

(1) Except as otherwise provided in Section 79-11-505 and prior to any solicitation of contributions, every charitable organization as defined in Section 79-11-501 which solicits or intends to

solicit contributions by any means whatsoever shall file a registration statement with, and pay a filing fee of Fifty Dollars (\$50.00) to, the Secretary of State. A registration statement that contains false, misleading, deceptive or incomplete information or documentation shall not be considered sufficient.

16. Section 79-11-504 of the Act gives the Secretary of State the authority to promulgate rules of procedure and regulations necessary for the administration of the Act.

17. Miss. Code Ann. § 79-11-509(1)(e) states:

(1) The Secretary of State shall deny, suspend or revoke a registration or an exemption for the following reasons:
(e) The applicant or registrant has violated or failed to Comply with any provisions of this chapter or any rule or order thereunder.

18. In addition to the remedies provided in Section 79-11-509(1) set out above, Miss. Code Ann. § 79-11-509(4) provides that a charitable organization that solicits during a period of non-registration may be subject to an administrative penalty of up to Twenty-Five Thousand Dollars (\$25,000.00) for *each* solicitation made during a period of non-registration.

IV. CONCLUSIONS OF LAW

19. Respondent is a “charitable organization” as defined by Miss. Code Ann. § 79-11-501(a)(i)(A).

20. Pursuant to Miss. Code Ann. Section 79-11-501(j), Respondent solicited contributions in the state of Mississippi. In violation of Miss. Code Ann. § 79-11-503(1), respondent did not register with and pay a filing fee to the Division prior to any solicitations.

V. PUBLIC INTEREST

21. The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purpose set out in Miss. Code Ann. §§ 79-11-501, *et seq.* (2001).

VI. ORDER

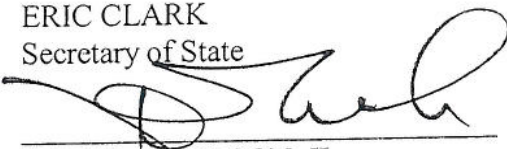
22. **IT IS THEREFORE ORDERED**, pursuant to the authority set out in Section 79-11-501 through Section 79-11-529 of the Act, that Respondent CHRISTIAN'S WINGS shall permanently **CEASE AND DESIST** FROM ANY FURTHER ILLEGAL ACTIVITY IN, OR ORIGINATING FROM, the State of Mississippi in connection with solicitations of charitable contributions. In addition, CHRISTIAN'S WINGS shall pay a fine in the amount of Twenty Five Thousand Dollars (\$25,000.00) payable to the "Mississippi Secretary of State" within fifteen (15) days from the receipt of this Final Cease and Desist Order and Order Imposing Administrative Penalty.

BE ADVISED THAT, a willful violation of this Final Cease and Desist Order and Order Imposing Administrative Penalty may be punishable upon conviction by a fine of not more than Twenty-Five Thousand Dollars (\$25,000.00) or five (5) years imprisonment, or both, in addition to civil and administrative remedies available to the Division.

ISSUED, this, the 16th day of JANUARY, 2008.

ERIC CLARK
Secretary of State

BY:


JAMES O. NELSON, II
Assistant Secretary of State
Business Regulation and Enforcement

David Walker
Mississippi Secretary of State's Office
Post Office Box 136
700 North Street
Jackson, Mississippi 39205
(601) 359-9281
davidw@sos.state.ms.us

STATE OF MISSISSIPPI	
I hereby certify that this is a true and complete copy of	
the <u>5</u>	page document on file in this office
DATED <u>FEBRUARY 12</u> , 20 <u>08</u>	
<u>Eric Clark</u>	
BY: <u>[Signature]</u>	
This Certification Stamp Replaces Our Previous Certification System	

CERTIFICATE OF SERVICE

I, Benjamin Akins, do hereby certify that I have, this day, mailed, via Certified Mail, postage pre-paid, a true and correct copy of the FINAL CEASE AND DESIST ORDER AND ORDER IMPOSING ADMINISTRATIVE PENALTY to the following:

Ms. AnaStacia Robrecht
Christian's Wings
897 Auburn Avenue
Biloxi, MS 39532-3217

This, the 18th day of JANUARY, 2007.

A handwritten signature in black ink, appearing to read "Ben Akins", written over a horizontal line.

BENJAMIN AKINS
Regulation and Enforcement



STATE OF MISSISSIPPI
SECRETARY OF STATE
ERIC CLARK

700 NORTH STREET
POST OFFICE BOX 136
JACKSON, MISSISSIPPI 39205-0136

TELEPHONE (601) 359-1350
FACSIMILE (601) 359-1499

June 6, 2006

Ms. Anastacia Robrecht
Christian's Wings
897 Auburn Avenue
Biloxi, MS 39532-3217

Dear Ms. Robrecht:

It has come to our attention that Christian's Wings is not registered with the Mississippi Secretary of State, Charities Division nor has Christian's Wings been granted an exemption from registration. We note that you are a 501(c)(3) organization as determined by the Internal Revenue Service. Pursuant to Mississippi law, all such organizations which solicit contributions must either be registered with the State of Mississippi or apply for and receive an exemption from registration.

For your convenience, I have enclosed a registration packet for your use. Please complete the appropriate forms and return them to us immediately. If you have any questions about completing any of the forms, please contact Ms. Kathy French at (601) 359-1371.

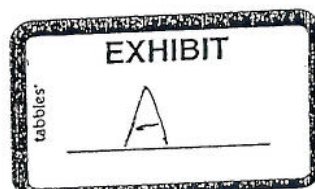
Pursuant to Miss. Code Ann. §79-11-503 (Rev. 2001), any solicitation made without registration or renewal with this office as required by law and issuance of a certificate of registration is illegal. Further, pursuant to Miss. Code Ann. §79-11-509(4) (Rev. 2001) of the Mississippi Charitable Solicitations Act, a charity may be subject to an administrative penalty up to a maximum of Twenty-five Thousand Dollars (\$25,000) for each violation of the Act, including solicitations made during a period of non-registration.

Sincerely,

A handwritten signature in black ink, appearing to read "Billy C. Luckey", written over a printed name.

BILLY C. LUCKEY
Senior Investigator
Business Regulation & Enforcement

Enclosures



**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF :

CHRISTIAN'S WINGS
897 Auburn Avenue
Biloxi, MS 39532-3217

Administrative Proceeding
Number: C-06-0262

Respondent

**SUMMARY CEASE AND DESIST ORDER AND
NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY**

The SECRETARY OF STATE OF MISSISSIPPI, by and through James O. Nelson, II, Assistant Secretary of State for the Business Regulation and Enforcement Division ("Division"), hereby issues this SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY to CHRISTIAN'S WINGS ("Respondent") and, in support hereof, states the following.

I. JURISDICTION.

The Secretary Of State is vested with the regulation of charitable organizations in the State of Mississippi pursuant to Mississippi Charitable Solicitations Act § 79-11-501, *et seq.* (2001) ("Act"). Respondent is a charitable organization as defined by Miss. Code Ann. § 79-11-501(a)(i) (2001), to-wit:

(A) Any person determined by the Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code.

The Internal Revenue Service granted Respondent tax exempt status pursuant to section 501(c)(3) of the Internal Revenue Code; therefore, Respondent is a charitable organization as defined by the Act and is subject to the regulatory authority of the Secretary of State.

II. FACTS AND LAW

1. Respondent is an unregistered charity located in Biloxi, Mississippi.

C-06-0262



2. AnaStacia Robrecht ("Robrecht") is the President of Respondent. Her last known address is 897 Auburn Avenue, Biloxi, MS 39532-3217.

3. On June 6, 2006, a Mississippi resident notified the Division that the resident had received a solicitation from Respondent. A thorough search of the Division's records reveals that Respondent is not a registered charity with the Division. Furthermore, Respondent has not obtained an exemption from registration.

4. On June 6, 2006, the Division sent a letter to Robrecht indicating that the charity was not registered with the Division, nor had the Charity obtained an exemption with the Division. The letter also contained the requisite registration materials the Respondent needed to complete its registration with the State of Mississippi. The Division's letter notifies Respondent that "[p]ursuant to Mississippi law, all [501(c)(3)] organizations which solicit contributions must either be registered with the State of Mississippi or apply for and receive an exemption from registration." The Division's June 6, 2006, letter from Mr. Billy Lucky ("Lucky") is attached hereto as Exhibit "A."

5. On July 17, 2006, Lucky telephoned Robrecht to follow up on the Division's June 6, 2006, letter. As of July 17, 2006, Respondent had not responded to the Division's letter. During the telephone conversation, Robrecht acknowledged receipt of the letter and attached registration materials. Robrecht stated that she had completed the registration packet and would send the completed materials back to the Division.

6. To date, Respondent has not submitted a valid registration to the Division, nor has Respondent notified the Division regarding its intentions; therefore, the Division issues this SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY.

III. APPLICABLE LAW

7. Miss. Code Ann. § 79-11-501(j) defines “solicitations” as requests made directly or indirectly for “money, credit, property, financial assistance, or any other thing of value” Section 79-11-501(j)(i) specifically includes any “oral or written request” as solicitations.

8. Pursuant to Miss. Code Ann. § 79-11-503(1), solicitations made during a period of non-registration are illegal. It states as follows:

(1) Except as otherwise provided in Section 79-11-505 and prior to any solicitation of contributions, every charitable organization as defined in Section 79-11-501 which solicits or intends to solicit contributions by any means whatsoever shall file a registration statement with, and pay a filing fee of Fifty Dollars (\$50.00) to, the Secretary of State. A registration statement that contains false, misleading, deceptive or incomplete information or documentation shall not be considered sufficient.

9. Section 79-11-504 of the Act gives the Secretary of State the authority to promulgate rules of procedure and regulations necessary for the administration of the Act.

10. Miss. Code Ann. § 79-11-509(1)(e) states:

(1) The Secretary of State shall deny, suspend or revoke a registration or an exemption for the following reasons:
(e) The applicant or registrant has violated or failed to Comply with any provisions of this chapter or any rule or order thereunder.

11. In addition to the remedies provided in Section 79-11-509(1) set out above, Miss. Code Ann. § 79-11-509(4) provides that a charitable organization that solicits during a period of non-registration may be subject to an administrative penalty of up to Twenty-Five Thousand Dollars (\$25,000.00) for *each* solicitation made during a period of non-registration.

IV. CONCLUSIONS OF LAW

12. Respondent is a “charitable organization” as defined by Miss. Code Ann. § 79-11-501(a)(i)(A).

13. Pursuant to Miss. Code Ann. Section 79-11-501(j), Respondent solicited contributions in the state of Mississippi. In violation of Miss. Code Ann. Section 79-11-503(1), Respondent did not register with and pay a filing fee to the Division prior to any solicitations.

V. NOTICE OF INTENDED ACTION

14. The Secretary of State intends to impose an administrative penalty upon Respondent of up to Twenty Five Thousand Dollars (\$25,000) for *each* violation of the Act pursuant to Miss. Code Ann. § 79-11-509(4).

VI. ORDER

15. **IT IS THEREFORE ORDERED**, pursuant to the authority set out in Section 79-11-501 through Section 79-11-529 of the Act, that Respondent shall immediately **CEASE AND DESIST FROM ANY FURTHER ILLEGAL ACTIVITY IN, OR ORIGINATING FROM**, the State of Mississippi in connection with solicitations of charitable contributions.

VII. RIGHT TO ADMINISTRATIVE HEARING

16. Respondent, CHRISTIAN’S WINGS, may request an administrative hearing in this matter. Respondent shall make any such request in writing to James O. Nelson, II, Assistant Secretary of State, Office of the Secretary of State, Post Office Box 136, Jackson, Mississippi 39205, within thirty (30) days from the date of receipt of this SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY. If Respondent requests such a hearing, the Division will

give written notice of the date, time, and place to all parties by certified mail, return receipt requested. Said notice will designate a Hearing Officer.

VIII. PUBLIC INTEREST

17. The actions taken and proposed to be taken herein by the Secretary of State are in the public interest and are consistent with the purposes set out in Miss. Code Ann. § 79-11-501, *et seq.* (2001).

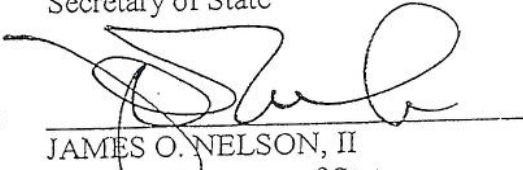
IX. RIGHT TO AMEND

18. The Secretary of State hereby reserves the right to amend this SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY.

ISSUED, this, the 5 day of SEPTEMBER, 2006.

ERIC CLARK
Secretary of State

BY:


JAMES O. NELSON, II
Assistant Secretary of State
Business Regulation and Enforcement


Benjamin Akins
Mississippi Secretary of State's Office
Post Office Box 136
700 North Street
Jackson, Mississippi 39205
(601) 359-6364
bakins@sos.state.ms.us

CERTIFICATE OF SERVICE

I, Benjamin Akins, do hereby certify that I have, this day, mailed, via Certified Mail, postage pre-paid, a true and correct copy of the SUMMARY CEASE AND DESIST ORDER AND NOTICE OF INTENT TO IMPOSE ADMINISTRATIVE PENALTY to the following:

Ms. AnaStacia Robrecht
Christian's Wings
897 Auburn Avenue
Biloxi, MS 39532-3217

This, the 19 day of SEPTEMBER, 2006.


BENJAMIN AKINS
Regulation and Enforcement